

*Rec'd
Rec'd
cc*

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Tomohiro SAKAI

Title: DISK ARRAY DEVICE HAVING
POINT VALUE ADDED OR
SUBTRACTED FOR DETERMINING
WHETHER DEVICE IS DEGRADED

Appl. No.: 10/781,709

Appl. Filing Date: 2/20/2004

Examiner: Elmira Mehrmanesh

Art Unit: 2113

Conf. Number: 4198

REQUEST FOR CONTINUED EXAMINATION (RCE)
TRANSMITTAL

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application. This RCE and the enclosed items listed below are being filed prior to the earliest of: (1) payment of the issue fee (unless a petition under 37 C.F.R. § 1.313 is granted); (2) abandonment of the application; or (3) the filing of a notice of appeal to the U.S. Court of Appeals for the Federal Circuit under 35 U.S.C. §141, or the commencement of a civil action under 35 U.S.C. §145 or §146 (unless the appeal or civil action is terminated).

1. **Submission required under 37 C.F.R. §1.114:** (check items that apply)

a. Previously submitted:

12/27/2007 AWONDAF1 00000036 10781709

01 FC:1891
02 FC:1251

810.00 OP
120.00 OP

- Please enter and consider the amendment and/or reply previously filed on November 19, 2007.
- Please consider the Affidavit(s)/Declaration(s) previously filed on __ but not considered.
- Please consider the arguments in the Appeal Brief or Reply previously filed __.
- Other _____.
- b. Enclosed are:
- Amendment and Reply Accompanying RCE.
- Affidavit(s)/Declaration(s).
- Information Disclosure Statement.
- Form PTO/SB/08 with copies of __ listed reference(s).
- Other .

Miscellaneous:

- Suspension of action of the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of __ months.

The filing fee is calculated below:

	Claims as Amended	Previously Paid For	Extra Claims Present	Rate	Fee Totals
RCE Fee 1.17(e):				\$810.00	= \$810.00
Total Claims:	21	-	21 = 0	x \$50.00	= \$0.00
Independents	12	-	12 = 0	x \$210.00	= \$0.00
First presentation of any Multiple Dependent Claims:			+ \$370.00	=	\$0.00
				CLAIMS FEE TOTAL:	= \$810.00

[X] Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

<input checked="" type="checkbox"/> Extension for response filed within the first month:	\$120.00	1	\$120.00
<input type="checkbox"/> Extension for response filed within the second month:	\$460.00		\$0.00
<input type="checkbox"/> Extension for response filed within the third month:	\$1,050.00		\$0.00
<input type="checkbox"/> Extension for response filed within the fourth month:	\$1,640.00		\$0.00
<input type="checkbox"/> Extension for response filed within the fifth month:	\$2,230.00		\$0.00
EXTENSION FEE SUBTOTAL:			\$120.00
EXTENSION FEE ALREADY PAID:		-	\$0.00
EXTENSION FEE TOTAL			\$120.00
CLAIMS AND EXTENSION FEE TOTAL:			\$930.00
<input type="checkbox"/> Small Entity Fees Apply (subtract ½ of above):			\$0.00
<input type="checkbox"/> Suspension of action requested under 37 C.F.R. § 1.103(c)			\$0.00
TOTAL FEE:			\$930.00

A credit card payment form in the amount of \$930.00 to cover the filing fee is enclosed.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by the credit card payment form being unsigned, providing incorrect information resulting in a rejected credit card transaction, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date December 26, 2007

By Philip J. Articola

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Customer Number: 22428
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